

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL COUNCIL EXECUTIVE COMMITTEE MEETING

April 17, 2000  
MAG Offices  
302 North 1st Avenue, Phoenix, Arizona

MEMBERS ATTENDING

Mayor Neil Giuliano, Tempe, Chairman  
Mayor Skip Rimsza, Phoenix, Vice Chairman  
\* Mayor Jay Tibshraeny, Chandler

\* Mayor Elaine Scruggs, Glendale  
Mayor John Keegan, Peoria

\* Not present

1. Call to Order

The Executive Committee meeting was called to order by Chairman Neil Giuliano at 12:10 p.m.

2. Approval of February 14, 2000 Executive Committee Meeting Minutes

Chairman Giuliano asked if there were any changes to the minutes. Hearing none, he asked for a motion to approve.

Mayor Skip Rimsza moved, Mayor John Keegan seconded and it was unanimously carried to approve the February 14, 2000 Executive Committee meeting minutes, as written.

3. Draft 2001 Annual Budget

James M. Bourey stated that the involvement of the Executive Committee was sought in the early stages of the budget review process. Art Rullo stated that the preliminary results of the FY 2001 budget were presented to the Intermodal Planning Group, or IPG, at a meeting hosted by MAG on April 5, 2000. Mr. Bourey explained that the Intermodal Planning Group reviews MAG's planning process annually, with certification every three years. Mr. Rullo handed out copies of the annual budget presentation given to the IPG. He explained the pie charts shown in the presentation that showed the amounts and sources of MAG funds, totalling \$11,874,507. Mr. Rullo stated that \$100,000 in Section 5309 FTA funds were included in the total. He said that this is the first time that Section 5309 funding has been received by MAG. Mayor Keegan asked if these funds were part of TEA-21. Mr. Rullo replied that they were.

Mr. Rullo said that a per capita basis was used in creating the chart summarizing the dues comparison of COGs across the nation. Mr. Rullo stated that the next two pie charts showed how the funds are used by program and expenditure category. Mr. Rullo noted that personnel cost projections assume a 5 percent salary adjustment and one new position, for a total of 58 employees.

He reviewed some of the highlights of the expenditures summary. Mr. Rullo stated that production of a video was included in the professional services projection. He noted that additional meeting space was factored into the rent projection. Insurance costs increased due to the purchase of Director's and Officers' insurance. Mayor Rimsza asked for clarification of the insurance expenditure. Mr. Rullo replied that the insurance protects committee participants against errors and omissions. Mr. Rullo stated that \$5,224,388 is needed for MAG to operate in FY 2001. Mayor Keegan asked for clarification of the video. Mr. Bourey stated that the video was a follow up on Regional Council retreat discussion and would increase awareness of MAG.

Mr. Rullo stated that the last page in the packet showed a summary of various sources of MAG's revenue. He noted that the summary indicates that a lesser amount of PL, or planning funds was budgeted for FY 2001 than in FY 2000. He said this was not actually a decrease, but rather a greater amount was received in FY 2000 than usual. Chairman Giuliano thanked Mr. Rullo for his presentation. He noted that MAGIC revenue had decreased. Mr. Bourey stated that increased involvement of staff on other projects resulted in less time to market MAGIC. He said that because of these commitments, a more moderate amount was projected. Mayor Rimsza commented on the MAGIC publication, the Urban Atlas. He stated that the atlas was a powerful tool that he used very effectively in his fundraising presentations.

Dennis Smith noted that changes could occur prior to the anticipated approval of the budget in May. He gave as an example the Freeway Service Patrol, which is likely to be accelerated using pass-through funding. Mayor Rimsza indicated that the Freeway Service Patrol provides breakdown services to motorists. Mr. Bourey stated that the inclusion of GANS legal fees and the Ozone Education Program are also anticipated. Mayor Rimsza requested that the draft budget be distributed to the Regional Council in advance of their meeting for their review.

Mr. Smith noted that an increase in 911 assessments from approximately \$33,000 to approximately \$100,000 was included in the FY 2001 budget to cover the cost of a full time Master Street Address Guide (MSAG) coordinator. He explained that the MSAG is the database used by the 911 system for address and telephone number tracking. Mr. Smith mentioned that concerns for maintaining the integrity of the database resulted in the 911 Oversight Team making a recommendation to add this position. Mayor Rimsza asked if increased maintenance was a result of the explosive growth in the region. Mr. Bourey replied that growth was a contributor, in addition to the fact that a single point of contact for maintaining the 911 database was needed. Mayor Keegan suggested coordinating MSAG address information with census results. Mayor Rimsza indicated that filling the 911 operator positions in the City of Phoenix was a problem. Mr. Bourey stated that the shortage of 911 operators extends throughout the region. He stated that a regional training program for 911 operators could be considered.

#### 4. Air Quality Update

Lindy Bauer stated that last Thursday, the EPA published a notice proposing approval of the Revised MAG 1999 Serious Area Particulate Plan for PM-10. She indicated that the EPA allows for a 60-day review and comment period, which would end in mid-June. Ms. Bauer stated that once the EPA takes approval action, it is anticipated that the Arizona Center for Law in the Public Interest will file a lawsuit. She stated that the EPA also published an interim final determination

which stays the offset sanctions on industrial sources. These sanctions would be officially turned off when EPA takes final action. Ms. Bauer explained the process of the sanction clock re-starting if any action, such as a court ruling on a lawsuit, disrupts the plan approval. If the lawsuit is lost, the clock starts again and we would be approximately five months away from loss of federal highway funds. Mayor Rimsza commented on the efforts made to gain approval from the EPA. Ms. Bauer stated that addressing dust control on paved roads, paving dirt roads, purchasing certified street sweepers, and increased enforcement of Rule 310 have helped to make the Plan approvable.

Ms. Bauer gave an update on recent air quality legislation. She said the bill containing administrative penalty language was defeated. Ms. Bauer stated that the County regulatory reform bill contains a provision to allow the County to move forward on settlements. SB 1480 was passed by the Legislature. Mayor Rimsza asked about the process after a citation is issued. Ms. Bauer replied that the County could file charges in civil or criminal court, or work with the violator to arrive at a monetary settlement by mutual consent, along with an agreement that the violator would cease committing future violations.

Ms. Bauer stated that a second stakeholders meeting would be held in May 2000. A model dust control ordinance was discussed. Ms. Bauer explained the City of Peoria permit process. She said that the cities could incorporate the Maricopa County earth moving permit and dust control plan into their grading and drainage permits. The cities would then have the ability to pull building permits. Ms. Bauer noted that this could be taken further, to include subdivision plat approval. Mayor Rimsza commented on the effectiveness of the Peoria approach. Chairman Giuliano asked for a time frame on the litigation. Ms. Bauer replied that the only concrete time frame we have is the mid-June date when the public comment period closes. It is anticipated that EPA will respond to comments and then take final action. Following final action, there would be a 60-day window in which a lawsuit could be filed. She indicated that it would be hard to predict beyond that point.

Ms. Bauer stated that drafting a memorandum of agreement also was discussed at the stakeholders meeting. In this process, cities would report violations and collect evidence for the County to expedite prosecution. Ms. Bauer indicated that the responsibility for enforcement would lie with the County. Mayor Rimsza asked why draft both a memorandum of agreement and a model ordinance. Ms. Bauer replied that this would give cities the option of choosing their preferred method of enforcement.

Ms. Bauer stated that requests have also been received to have the County give updates to MAG on their enforcement efforts.

## 5. MAG Office Space

Mr. Bourey stated that MAG's office lease expires on June 30, 2001. He said that the firm of Cushman & Wakefield has been examining options for MAG. Mr. Bourey stated that the options include re-leasing the current office space, purchasing the current building, or office space in another building. He introduced Bob Burnand and Don Rodie of Cushman & Wakefield, who completed a market analysis. Mr. Rodie handed out copies of the analysis. He stated that the report shows a summary of 12 office buildings. Mr. Rodie stated that because this report was

completed earlier, some of the buildings are no longer available. He noted that the analysis focused on the downtown area. Mr. Rodie stated that the current lease was negotiated at a favorable time, and rates would now be higher. Rates are expected to be in the low 20's to high teens. He indicated that a proposal from the owners of the building is expected this week.

Mr. Bourey stated that discussion on the lease is important because of improvements resulting from the impending installation of videoconferencing equipment. Mayor Rimsza asked if any buildings offered shared videoconferencing facilities. Mr. Rodie replied he was not aware of any. However, many buildings are installing fiber optics.

Chairman Giuliano indicated that a Facilities Subcommittee could be formed of Regional Council and Executive Committee members to study the lease options. Mr. Bourey indicated that 5-6 Regional Council members served on the subcommittee when the current lease was being researched. Chairman Giuliano asked for a time frame to complete the research. Mr. Bourey replied in the next couple of months.

Mr. Rodie stated that the building owners are interested in re-leasing to MAG, since the lease represents 25 percent of the total space. He mentioned that the additional 500 million+ square feet of new office space becoming available will have an impact on the area. Mr. Rodie stated that it is favorable for the owners to arrive at an agreement with MAG earlier rather than later.

Mayor Rimsza commented on the possibility of instituting the taping of Regional Council meetings to be broadcast on local government access channels. He indicated that broadcast of the MAG meetings could increase public awareness of MAG. Kelly Taft noted that taping and broadcasting meetings had been considered, but research showed that charges would be incurred, and it became a budget issue. Mayor Rimsza stated that production costs could be covered by MAG, but the cities would pay for broadcast costs. Mayor Keegan commented on whether broadcasting would be a higher priority than videoconferencing. Chairman Giuliano asked staff to examine the budget requirements. Mayor Keegan stated that a study and issuance of an RFP should be done on this issue as a part of the budget process. Mayor Rimsza commented on pursuing this if the public's perception of MAG would improve.

There being no further business, the meeting was adjourned at 1:10 p.m.

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Chairman

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Secretary